



To the Honorable Council
City of Norfolk, Virginia

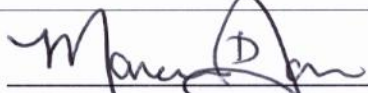
February 23, 2016

From: Jared Chalk, Senior Business Development
Manager

Subject: An ordinance authorizing
the vacation and release by the City of
Norfolk to Two City Walk, those two
easements running through the Two
Commercial Place Building.

Reviewed: 
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 2/6

Approved: 
Marcus D. Jones, City Manager

Item Number: **PH-9**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** City Walk Two, LLC

III. **Description:**

This agenda item is an ordinance to authorize the vacation and release by the City of Norfolk (the "city") to City Walk Two, LLC ("City Walk") those certain two pedestrian access easements (the "easements") located and running through the Two Commercial Place building (the "building"), and authorizing the City Manager to execute and deliver deeds of release on behalf of the city and to do all of the things necessary and proper to effect the vacation and release of the easements.

IV. **Analysis**

The easements, dedicated by Plat on May 7, 1974 and by Deed of Easement on July 29, 1977, currently exist and run through the building. During the upcoming renovation of the building into class "A" office space, and in order to fully maximize the layout and efficiency of the building to provide for the potential tenant, City Walk has requested that the city vacate and release the easements as they are no longer needed for municipal purposes.

V. **Financial Impact**
N/A

VI. **Environmental**
N/A

VII. Community Outreach/Notification

Public notification for this agenda item was conducted through the city's agenda notification process.

VIII. Board/Commission Action

N/A

IX. Coordination/Outreach

This letter and ordinance have been coordinated with the Department of Development, Department of City Planning, and the City Attorney's Office.

Supporting Material from the Department of Development:

- Ordinance
- Exhibits A and B

Form and Correctness Approved

By

Office of the City Attorney

Contents Approved:

By

DEPT. Development

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE AUTHORIZING THE VACATION AND RELEASE BY THE CITY OF NORFOLK TO CITY WALK TWO, LLC, THOSE CERTAIN TWO PEDESTRIAN ACCESS EASEMENTS LOCATED ON AND RUNNING THROUGH THE TWO COMMERCIAL PLACE BUILDING; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND DELIVER DEEDS OF RELEASE ON BEHALF OF THE CITY AND TO DO ALL OF THE THINGS NECESSARY AND PROPER TO EFFECT THE VACATION AND RELEASE OF SAID PEDESTRIAN ACCESS EASEMENTS.

- - -

WHEREAS, by Deed of Easement dated July 29, 1977 and recorded in the Circuit Court Clerk's Office of the City of Norfolk, in Deed Book 1412, at page 817, Norfolk Offices, LTD. and Norfolk Offices, Inc. conveyed to the City of Norfolk ("City") an easement ("Pedestrian Easement 1") for permanent, non-exclusive pedestrian access, located and running north-south through the Two Commercial Place Building ("Building"), as described in "Schedule A - Description of Easement," attached hereto as Exhibit A; and

WHEREAS, by Plat dated May 7, 1974 and recorded in Map Book 28, page 90, entitled "Disposition Plat of Parcel 77-A-1 & 77-A-2 Norfolk Redevelopment & Housing Authority," and by Plat dated August 14, 1974 and recorded in Map Book 28, page 101, entitled "Amended Disposition Plat of Parcel 77-A-1 & 77-A-2 Norfolk Redevelopment & Housing Authority," there is dedicated to

the City a twenty-four foot (24') wide easement ("Pedestrian Easement 2") for public pedestrian access, located and running east-west through the Building, as described in "Schedule B - Description of Easement," attached hereto as Exhibit B; and

WHEREAS, by deed dated January 7, 2016 and recorded January 7, 2016 as Instrument No. 160000332, City Walk Two, LLC ("City Walk"), became the record title owner of certain property, a part of which includes the Building, upon which Pedestrian Easements 1 and 2 are located; and

WHEREAS, City Walk has requested that the City vacate and release the Pedestrian Easements 1 and 2, and the City has determined that the easements are no longer needed for municipal purposes; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the Pedestrian Easements 1 and 2 located on and running through the Building, being described on Exhibit A and shown on Exhibit B attached hereto, are hereby vacated and released.

Section 2:- That the City Manager and other proper officers of the City are authorized to deliver Deeds of Release, in form satisfactory to the City Attorney, and do all things necessary and proper to effect the vacation and release of the above described pedestrian easements.

Section 3:- That this ordinance shall be in effect from and after 30 days from the date of its adoption.

EXHIBIT A TO ORDINANCE

BOOK 1412 PAGE 821

SCHEDULE "A"

Description of Easement

Public Pedestrian Easement:

A non-exclusive and perpetual easement for public pedestrian access through the column of air beginning at the northern street line of Waterfront Drive and running through Parcel 77-A-1, as shown on a plat of survey entitled "Amended Disposition Plat of Parcel 77-A-1 & 77-A-2, Norfolk Redevelopment and Housing Authority, Norfolk, Virginia," which plat is recorded in the Clerk's Office of the Circuit Court of the City of Norfolk, Virginia, in Map Book 28, at Page 95-7, traversing a distance of three hundred forty (340) feet, more or less, and extending public pedestrian access within the Waterfront Drive Pedestrian Bridge, into and through the Royster Building (formerly the ICC Building), to Commercial Place, from the said northern street line of Waterfront Drive northwardly to the southern street line of the square at the intersection of Main Street and Commercial Place, running through the existing Waterfront Drive pedestrian bridge as it crosses the northern street line of Waterfront Drive, northwardly into the first floor level of the Royster Building and running through the present passageways of said building upon the same level to and through the main lobby of said building, down the existing interior steps, through the main entrance doors and down the exterior steps to the aforesaid public street right-of-way of the Commercial Place square, in all cases, said easement to be no less than seven (7) feet in width and eight (8) feet in height, upon the floor surfaces, and crossing through the retail first level of the building as described above.

VIRGINIA:

In the Clerk's Office of the Circuit Court of the City of Norfolk, on the 16th day of September, 1977, at 2:45 P.M.

This instrument, with Schedule A attached, was received and upon certificate of acknowledgment thereto annexed, admitted to record. The tax imposed by Sec. 58-54.1 of the Code has been paid, in the amount of \$ _____.

TESTE: HUGH L. STOVALL, Clerk

Delivered to:

B. Banks

9-16-77

Philip H. Lewis D.C.

This subdivision of property of Norfolk Redevelopment and Housing Authority, in Norfolk, Virginia, as appears on this plot, is with the foregoing consent and in accordance with the desires of the undersigned owner.

In testimony whereof, the Norfolk Redevelopment and Housing Authority has caused these presents to be signed in its corporate name by its chairman, Julian Haskins, its corporate seal to be hereunto affixed and attested by its secretary and executive director, Jack H. Shiver, this 19th day of June, 1974.

by Julian Haskins Chairman
by Jack H. Shiver Executive Director

State of Virginia
City of Norfolk, to wit:

Free Stanfield, a notary public in and for the city and state aforesaid do hereby certify that Julian Haskins, chairman, and Jack H. Shiver, executive director of the Norfolk Redevelopment and Housing Authority, whose names are signed in the foregoing writing bearing date on the 19th day of May, 1974, have acknowledged the same before me in my city and state aforesaid.

Given unto my hand this 10th day of June, 1974.

My commission expires on February 1, 1977

F. Lea Stanfield
Notary Public

The undersigned certify that the subdivision as it appears on this plot, conforms to the applicable regulations relating to the subdivision of land and is accordingly approved. By such approval, the undersigned do not certify as to the correctness of the boundary, street and other lines on said plot.

Approved: Ernest R. Trower date 12-2-74
City Planning Engineer, City of Norfolk, Virginia

Subsidiary to: John C. Lewis date 12-2-74
Director of Utilities, City of Norfolk, Virginia

Approved: Bartholomew date 6-12-74
Engineer of Survey, City of Norfolk, Virginia

Approved: _____ date _____
Director of Public Works, City of Norfolk, Virginia

I hereby certify that the subdivision shown on this plot is comprised of property which was acquired by its present owner, the Norfolk Redevelopment and Housing Authority by deeds of conveyance and/or orders confirming the reports of commissioners in condemnation proceedings.

The deeds of conveyance and the orders in condemnation are duly of record in the clerk's office of the circuit court of the city of Norfolk, Virginia.

I further certify that the subdivision shown on this plot was made by me at the direction of the owner, the Norfolk Redevelopment and Housing Authority, and that generated steel pins as specified by the Norfolk city subdivision regulations are actually in place at points marked "D", and that their locations are correctly shown.

Signed: H. Merrill Beck, Jr.
H. Merrill Beck, Jr.

5/22/74
12-2/74

LINE DATA

NOL	BEARING	DISTANCE
1	N 89° 54' 35" W	61.88'
2	N 89° 54' 35" W	30.00'
3	N 89° 54' 35" W	41.88'
4	S 00° 05' 25" W	19.00'
5	S 00° 05' 25" W	40.88'
6	S 00° 05' 25" W	37.00'
7	S 89° 54' 35" E	8.79'
8	S 00° 05' 25" W	11.88'
9	S 00° 05' 25" W	30.00'
10	S 44° 54' 35" E	87.69'

CURVE DATA

	RADIUS	DELTA	TANGENT	ARC
A	10.00'	90° 00' 00"	10.00'	15.71'
B	20.00'	76° 44' 55"	15.84'	26.79'
C	18.14'	36° 53' 11"	19.41'	37.43'

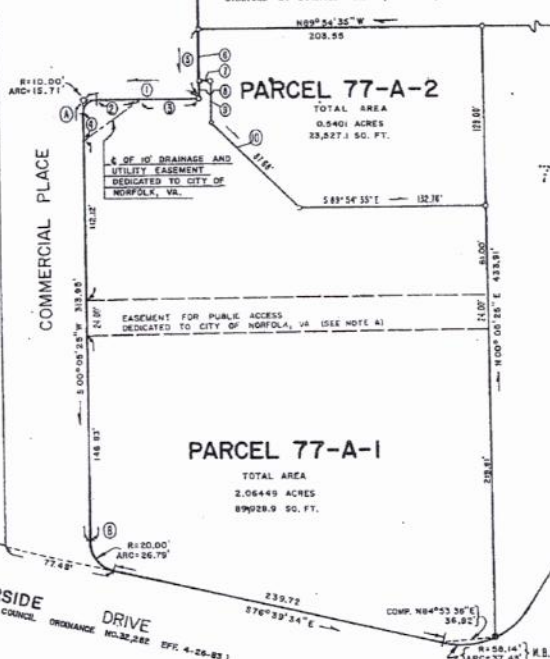
NOTE: A. EASEMENT EXTENDS VERTICALLY FROM ELEVATION 109.50 TO ELEVATION 122.00. REFERENCED TO CITY OF NORFOLK DATUM 99.00 MEAN LOW WATER

MAIN STREET

77-C FW

EAST MAIN ST.

CHANGED BY COUNCIL ORD. 55,381 EFF. 2-14-88



77-C

SAINT PAUL'S BOULEVARD (120')

WATERSIDE DRIVE
(CHANGED BY COUNCIL ORDINANCE NO. 32,282 EFF. 4-26-83)

NORFOLK REDEVELOPMENT & HOUSING AUTHORITY

N. MERRILL BECK, JR. & ASSOCIATES
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
NORFOLK, VIRGINIA

N.D.P. VA-R-9
PARCEL 77-A-1 & 77-A-2

8D-744181

EXHIBIT B TO ORDINANCE

1-4-49.3

This subdivision of property of Norfolk Redevelopment and Housing Authority, in Norfolk, Virginia, is shown on this plat, in accordance with the desires of the undersigned owners, in testimony whereof, the Norfolk Redevelopment and Housing Authority has caused these presents to be signed by its corporate officers, its chairman, Julius Rankin, its corporate seal to be hereunto affixed and attested by the secretary and executive director, Jack H. Shiver, this 15th day of AUGUST, 1974.



Julius Rankin, Chairman
Jack H. Shiver, Executive Director

State of Virginia
City of Norfolk, to-wit:

I, E. Lee Stanfield, a notary public in and for the city and state aforesaid do hereby certify that Julius Rankin, chairman, and Jack H. Shiver, executive director of the Norfolk Redevelopment and Housing Authority, whose names are signed to the foregoing writing bearing date on the 15th day of AUGUST, 1974, have acknowledged the same before in my city and state aforesaid.

Given unto my hand this 15th day of AUGUST, 1974.
My commission expires on: February 1, 1977
E. Lee Stanfield
Notary Public

The undersigned certify that the subdivision as it appears on this plat, conforms to the applicable regulations relating to the subdivision of land and is accordingly approved. By each approval, the undersigned do not certify to the correctness of the boundary, street and other lines on said plat.

Approved: Eugene R. Coard date: 21 AUG 74
City Planning Engineer, City of Norfolk, Virginia

Secretary to: [Signature] date: 21 Aug 74
Director of Utilities, City of Norfolk, Virginia

Approved: Leah Good date: 8/21/74
Engineer of Surveys, City of Norfolk, Virginia

Approved: Chas. O. Liss date: 8/22/74
Director of Public Works, City of Norfolk, Virginia

I hereby certify that the subdivision shown on this plat is comprised of property which was acquired by its present owner, the Norfolk Redevelopment and Housing Authority by deeds of conveyance and/or orders confirming the reports of commissioners in condemnation proceedings.

The deeds of conveyance and the orders in condemnation are duly of record in the clerk's office of the circuit court of the city of Norfolk, Virginia.

I further certify that the subdivision shown on this plat was made by me at the direction of the owner, the Norfolk Redevelopment and Housing Authority, and that associated steel pins as specified by the Norfolk city subdivision regulations are actually in place at points marked "to", and that their locations are correctly shown.

Signed: N. Merrill Beck, Jr.
N. Merrill Beck, Jr.

NAP. 08-23-74

LINE DATA

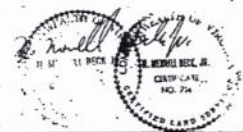
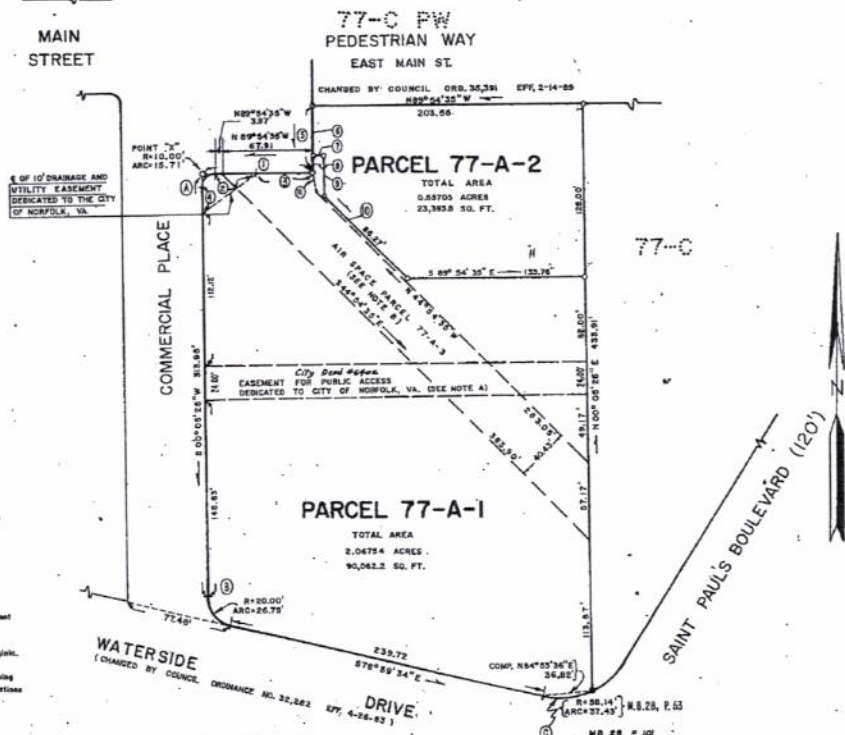
NO.	BEARING	DISTANCE
1	N 69° 54' 25" W	81.88'
2	N 89° 54' 25" W	30.00'
3	N 89° 54' 25" W	41.88'
4	S 00° 05' 25" W	19.00'
5	S 00° 05' 25" W	48.88'
6	S 00° 05' 25" W	37.00'
7	S 89° 54' 25" E	6.79'
8	S 00° 05' 25" W	11.88'
9	S 00° 05' 25" W	30.00'
10	S 44° 54' 38" E	66.37'
11	N 13° 24' 10" W	14.55'

NOTES:

- EASEMENT EXTENDS VERTICALLY FROM ELEVATION 109.50 TO ELEVATION 122.00 REFERENCES TO CITY OF NORFOLK DATUM - 99.00 MEAN LOW WATER.
- LOWER ELEVATION OF PARCEL 77-A-2 IS 128.00' UPPER ELEVATION OF PARCEL 77-A-3 IS 164.00 ELEVATIONS REFERENCES TO CITY OF NORFOLK DATUM 99.00 MEAN LOW WATER.

CURVE DATA

	RADIUS	DELTA	TANGENT	ARC
A	10.00'	90°00'00"	10.00'	15.71'
B	20.00'	76°44'59"	15.84'	26.79'
C	26.14'	56°33'11"	15.41'	37.43'



AMENDED
DISPOSITION PLAT
OF
PARCEL 77-A-1 & 77-A-2
NORFOLK REDEVELOPMENT & HOUSING AUTHORITY
NORFOLK, VIRGINIA
SCALE: 1" = 50'
AUGUST 14, 1974
N. MERRILL BECK, JR. & ASSOCIATES
CONSULTING ENGINEERS, SURVEYORS & PLANNERS
NORFOLK, VIRGINIA
N.D.P. VA-R-9
PARCEL 77-A-1 & 77-A-2

8D-744181